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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/530,490

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Yoshihiro Takagi

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EXAMINER

YU, XIANG

ART UNIT

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4127

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,490	<b>Applicant(s)</b> TAKAGI, YOSHIHIRO	
	<b>Examiner</b> XIANG YU	<b>Art Unit</b> 4127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7, 15-19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 15-19, and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Remarks***

1. This action is in response to the communications filed on July 29<sup>th</sup>, 2008.
  - Claims 8-14 and 20 have been cancelled.
  - Claims 1-7, 15-19 and 21 have been amended and are now pending and have been examined.

Previous corresponding claim rejections have been withdrawn in view of cancelled claims. Acknowledgement of the submission and receipt of the translated foreign priority documents has been made.

### ***Response to Arguments***

2. Applicant's arguments filed on July 29<sup>th</sup>, 2008 have been fully considered and are considered moot in view of the following new grounds of rejections.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. **Claims 1-7, 15-19, and 21** are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent Publication No. US 2002/0083431 A1 to *Machida, Haruo* ("*Machida*").

As to **claim 1**, *Machida* discloses **an information processing method of distributing executed in an information processing apparatus which distributes across a network a printer driver program for controlling a printing device to a client apparatus for managing the printing device, said method comprising:**

**a designation step of designating range information for searching for a printing device connected to the network.** In particular, *Machida* discloses the concept of wherein an information processing unit in communication with a plurality of client units comprises of a determining means for determining a plurality of client units on which the driver information is to be installed upon (e.g. paragraph [0018]). In addition, *Machida* further discloses the concept of obtaining the connection status information for the PCs and the peripheral devices (i.e. inkjet printer, digital camera, copy machine with printer functions, etc.) in the network by means of a device managing module (Fig. 2, S201 and paragraph [0071]). In addition, *Machida* further discloses more expressly the concept of range information wherein various domains are designated to be searched for the client units (e.g. Figs. 4 and 5). Thus, combining all the points, *Machida* discloses of designating various domains wherein client units (i.e. personal computers, inkjet printers, digital cameras, copy machines with printing functions, and etc.) can be found and get updates for drivers if and when needed (e.g. Figs. 4 and 5);

**a search step of searching for the printing device which is controlled by installing the printer driver program to the client apparatus and corresponds to the designated range information.** In particular, *Machida* discloses the concept of wherein a search within a selected domain (or range) is performed to select one or a plurality of client units or apparatuses for which the driver program needs to be installed or updated (e.g. Figs. 4 and 5). Ultimately, finding the client personal computer would be same as find the printer device since they are connected as depicted in Figure 4 wherein the expanding list displays a network containing a domain, which contains multiple client personal computers and at least one of the computers contains multiple printers, scanners, and a facsimile machine (e.g. Figs. 4); **and**

**a distribution step of distributing a printer driver program, from the information processing apparatus to the client apparatus, for managing the printing device within the range searched in the search step.** In particular, *Machida* discloses the concept of wherein a transmission controlling means for controlling distribution of driver information that controls a peripheral device connected to the client units to the plurality of clients determined [earlier] by the determining means [step] (page 1, paragraph [0018]). Thus, the peripheral device driver program (i.e. printer driver program) is distributed to the client personal computers which would further control the printer devices.

As to **claim 2**, *Machida* further discloses **the method according to claim 1, further comprising an acquisition step of acquiring address information of the printing device on the basis of data obtained by the result of search of the printing device in the search step,**

**wherein the distribution step performs the distribution process by using the address information acquired in the acquisition step.** In particular, *Machida* further discloses the concept through various embodiments including (1) an exemplary driver information structure (e.g. Figs. 3 and 5) which contains relevant information (i.e. IP address information) about the various peripheral device(s) (i.e. printers or scanners) connected to the client personal computer within the network, (2) an exemplary screen displaying the PCs and peripheral devices on the network (Fig. 4), and 3) an exemplary screen displaying the driver setup status of each client unit on a network (Fig. 5). All this information is obtained or acquired in the searching and acquisition step previously mentioned. Ultimately, the whole process of distributing and installing the drivers for the printers or anything other peripheral devices are shown in the illustrations (e.g. Figs. 6-9).

As to **claim 3**, *Machida* further discloses **the method according to claim 1, further comprising a recognition step of recognizing a preparation completion notification indicating that an accepting module which is**

**activated in the client apparatus as a transfer destination of the printer driver program and receives the printer driver program is prepared,**

**wherein the distribution step distributes the printer driver program in response to recognition of the preparation completion notification in the recognition step.** In particular, *Machida* further discloses the concept of wherein the information processing unit comprises of recognizing means for recognizing setup instruction(s) and driver information. In addition, *Machida* further discloses of program managing means for distributing or installing the driver information on the client units that control the peripheral devices (i.e. printers, scanners, etc.) all in response to recognizing the initial setup instruction(s) (e.g. paragraph [0019-20]).

As to **claim 4**, *Machida* further discloses **the method according to claim 2, wherein the acquisition step acquires network address information corresponding to the range information for search, on the basis of data obtained by the result of search of the printing device.** In particular, *Machida* further discloses the concept of wherein the acquired data contains relevant information (i.e. IP address information) about the various peripheral device(s) (i.e. printers or scanners) connected to the client personal computer within the network (e.g. Fig. 3). This IP address would be corresponding to the range (or domain) that was set in the earlier determining step.

As to **claim 5**, *Machida* further discloses **the method according to claim 1, wherein the range designated to search for the printing device is designated for each domain, each OU (Organization Unit) in a directory service, or each IP address.** In particular, *Machida* further discloses the concept of wherein the unit of the range is in the form of IP addresses across various domains (e.g. Fig. 3). The range of the client unit would correspond to the range of the printer device(s), since they would be within the same network (i.e. output port is on the same local output network).

As to **claim 6**, see the similar rejection of claim 1, since the apparatus is taught by the method.

As to **claim 7**, see the similar rejection of claim 1, since the program is taught by the method.

As to **claim 15**, *Machida* further discloses **an information processing method of distributing executed in an information processing apparatus which distributes across a network a printer driver program for controlling a printing device to a client apparatus for managing the printing device, said method comprising:**

**a first search step of searching for the client apparatus connected to the network by using a first device search module generated on the basis**



**of script information.** In particular, *Machida* further discloses the concept of wherein a device managing module which can obtain the connection status information for all the client units such as personal computers and the peripheral devices (e.g. Fig. 2: S201 and paragraph [0071]). The script information allowing the functionality would be contained within this module;

**a second search step of searching for a printing device which is connected to the client apparatus found in the first search step by using a second search module generated on the basis of script information and is controlled by installing the printer driver program on the client apparatus.**

In particular, *Machida* further discloses the concept through illustrations of wherein a search can result in a plurality of both client units and the peripheral devices associated with that client (e.g. Figs. 4, 12, and 13). In one of the embodiments shown, 403ab is the located SNPCW2 client unit, 403ac is the peripheral Mechida FAX device, and 403ad is the peripheral Pm2000 device;  
**and**

**a distribution step of distributing, from the information processing apparatus to the client apparatus, the printer driver program for controlling a printing device found in the second search step.** In particular, *Machida* further discloses the concept of a transmission controlling means for controlling distribution of driver information that controls a peripheral device connected to the client units to the plurality of client devices that were located in the previous determining and searching steps (e.g. paragraph [0018]).

As to **claim 16**, *Machida* further discloses **the method according to claim 15, wherein the script information for generating the second device search module contains range information concerning a network address for specifying the printing device or information concerning a geographical range**. In particular, *Machida* further discloses the concept of wherein a device managing module which can obtain the connection status information for all the client units such as personal computers and the peripheral devices (e.g. Fig. 2: S201 and paragraph [0071]). The script information allowing the functionality would be contained within this module. In addition, *Machida* further discloses the concept of how the located client units and their peripheral devices would include the range information concerning their IP addresses (e.g. Fig. 3).

As to **claim 17**, see the similar rejection of claim 15, since the apparatus is taught by the method.

As to **claim 18**, see the similar rejection of claim 15, since the program is taught by the method.

As to **claim 19**, see the similar rejection of claim 1, since the computer-readable storage medium is taught by the method.

As to **claim 21**, see the similar rejection of claim 15, since the computer-readable storage medium is taught by the method.

### ***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to XIANG YU whose telephone number is (571)270-5695. The examiner can normally be reached on Monday - Friday 8:00am - 5:00pm with every other Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derrick Ferris can be reached on (571)272-3123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/X. Y./

Examiner, Art Unit 4127

/Derrick W Ferris/

Supervisory Patent Examiner, Art Unit 4127